2: Hickinbotham, G-4, 5 (ca. 1931-ca. 1957)
1958 MM1 Aden MM1
Yemen ML1

more justified than this air attack which heartened our ds as much as it dismayed their enemies.

Yet while it would be dangerous to underestimate the gravity of the situation on the Aden-Yemen frontier, it would be most unwise to lose a proper sense of proportion and exaggerate unduly the magnitude of the operations which have so far taken place. Operations which had they occurred between the two World Wars on the north-west frontier of India would have received but the most cursory attention from the Press of this country. Nor must we disregard the internal condition of the Yemen which must cause the Imam greater worry than does that of the Protectorate the Governor of Aden. Only recently has there been a disturbance in the neighbourhood of Sana which the Imam is reported to have suppressed with his usual vigour and that lonely man, who can place his trust in so few, must realise how grave are the risks of serious internal strife in his country which may result in his death or deriving from his death.

Arms and ammunition are not the only things that the Yemen has obtained from Russia and her satellites. Money and technicians for the development of the port at Hodeidah have been provided, and rumour has linked Russia and Egypt with the alleged building of a submarine base farther south and the fortification of Sheikh Said overlooking the island of Perim which is part of the Colony of Aden. Hodeidah will cost a tremendous amount to develop into a safe harbour, and when this has been done it will be years before there will be sufficient trade to attract shipping in any quantity. Even though a port is on a main trade route, shipowners will not put their vessels in unless there are very substantial attractions such as cargo in quantities or, as at Aden, cheap bunkers.

It will be a long time, if ever, before Aden need fear a serious set-back from Hodeidah's competition, though undoubtedly some of the present coastal trade will be affected and the land route from Aden to Taiz may feel the effect when the new road from Taiz to Hodeidah is completed.

Sheikh Said may have been fortified to the extent of a battery or so of guns, but their only value is in their effect

5:Gt. Brit., Colonial Office G-3 (1947) 1949 MM1 Aden MM1

693 individually exercise the powers of a magistrate of the first class as provided by the Criminal Courts Ordinance, 1937, and regular sittings are held at Crater, Tawahi and Sheikh Othman.

692 An appeal lies from the Magistrate's Court to the Supreme Court
695 in all criminal cases in which a sentence of imprisonment exceeding one month or fine exceeding Rs. 50 has been passed, and the Supreme Court has also powers of revision.

No sentence of death can be passed on a pregnant woman or a person under the age of 16 years.

A youthful offender may be dealt with by placing him on probation, or by discharging him after due admonition, or by delivering him to his parent, guardian or relative, who has executed a bond for his good behaviour, or by fine, or by whipping, or by ordering his detention.

The Courts performed their usual functions throughout the year. On the criminal side there was an increase of cases both in the Supreme Court and in the Magistrates' Courts. In the Lower Courts there was a very considerable increase in petty offences such as infringements of the Port Rules and minor infringements of the Traffic Ordinance and Rules.

[693] Although there were eight professional pleaders in the Colony, in the
●694 great majority of civil cases even in the Supreme Court one or both parties appeared in person without a pleader. This fact and the Indian procedure as followed in the Colony whereby every step in pleadings involves an appearance before the Judge causes a great deal of delay. On the criminal side in the Magistrates' Courts similar delay is caused by the fact that a preliminary enquiry has to be made in every case punishable with imprisonment for a term exceeding six months before the accused can be charged and required to plead. This requirement exists irrespective of the facts of any particular case and even though the case is one that may be tried summarily without recording the evidence.

Owing to the increase of work, Government agreed to the appointment of a second magistrate of the first class on a contractual basis.

691 There is a considerable amount of civil litigation in the Colony. During the year 1947, 304 civil suits were filed in the Supreme Court and 328 civil suits were finally decided. Ten applications for civil revision were filed and decided. Twenty-three civil appeals were lodged in the Supreme Court which disposed of all. The miscellaneous proceedings in the Supreme Court included 30 applications concerning guardianship matters, 10 for succession certificates, 58 for heirship certificates, two for letters of administration, one for probate; and excluding execution proceedings and interlocutory applications, there were 22 other applications, making in all 123. The corresponding disposals were 34, 10, 63, 1, 1, and 23 respectively, making in all 132.

Twenty-six estates were in charge of the Supreme Court.

586 All six cases for dissolution of Mohammedan marriages filed during the year were disposed of.

674 Eleven criminal cases were committed to the Supreme Court during 1947 for trial, out of which nine were disposed of during the year and the remaining two were heard and decided in January, 1948.